

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>PATRICIA KAMMEYER, et al.</b>	<b>:</b>	<b>Case No. C-1-01-649</b>
<b>Plaintiffs</b>	<b>:</b>	<b>Spiegel, J.</b>
		<b>Pearlman, J.</b>
<b>vs.</b>	<b>:</b>	
<b>CITY OF SHARONVILLE, et al.</b>	<b>:</b>	<b>PLAINTIFFS' SUPPLEMENTAL</b>
		<b>MEMORANDUM REGARDING</b>
<b>Defendants</b>	<b>:</b>	<b>DEFENDANT NUSS' MOTION</b>
		<b>TO COMPEL (DOC. 136)</b>
	<b>:</b>	

This supplemental memorandum is being filed to clarify a misstatement made by plaintiffs' counsel during the telephone conference held with Magistrate Judge Pearlman on April 12, 2004. That conference had been convened to discuss the motion to compel discovery filed by defendant Nuss. (Doc. 136). During that conference plaintiffs' counsel pointed to Judge Spiegel's Order of March 26, 2002 which withdrew the referral to the Magistrate Judge and placed all pretrial matters before the trial court for decision. (Doc.22). Defense counsel correctly noted that Judge Spiegel's Order of January 27, 2004 referred all matters relating to discovery to the assigned Magistrate Judge. (Doc. 134). Plaintiffs agree that defendant Nuss' motion to compel and all other discovery matters have now been referred to the Magistrate Judge.

**Respectfully submitted,**

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**Certificate of Service**

I here by certify that on April 21, 2004, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Alphonse A. Gerhardstein  
Alphonse A. Gerhardstein